

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N.W.

P.O. BOX 7566

WASHINGTON, D.C. 20044-7566

(202) 662-6000

TELEFAX: (202) 662-6291

TELEX: 89-593 (COVLING WSH)

CABLE: COVLING

WRITER'S DIRECT DIAL NUMBER

LECONFIELD HOUSE

CURZON STREET

LONDON W1Y 8AS

ENGLAND

TELEPHONE: 071-495-5655

TELEFAX: 071-495-3101

BRUSSELS CORRESPONDENT OFFICE

44 AVENUE DES ARTS

BRUSSELS 1040 BELGIUM

TELEPHONE: 32-2-512-9890

TELEFAX: 32-2-502-1598

GERARD J. WALDRON*

(202) 662-5360

* MEMBER OF THE BAR OF PENNSYLVANIA
NOT ADMITTED IN THE DISTRICT OF COLUMBIA

EX PARTE OR LATE FILED

July 17, 1995

RECEIVED

JUL 20 1995

Mr. William F. Caton
Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: ~~Ex~~ Parte Presentation in ET Dockets No. 94-31,
95-18, and IC Docket No. 94-32

The Association for Maximum Service Television, Capital Cities/ABC, CBS, Fox, NBC, and the National Association of Broadcasters, pursuant to Section 1.1206(a)(2) of the Commission's Rules, 47 C.F.R. 1.1206(a)(2), hereby notifies the Commission that their representatives met on July 13, 1995, with senior legal advisor Lauren J. Belvin and legal advisor Rudolfo M. Baca in Commissioner Quello's office; and on July 14, 1995, met with Commissioner Ness and her legal advisor, David A. Siddall; and Chairman Hundt and his legal advisor Julius Genachowski, and Robert Pepper, Donald Gips from the Office of Plans and Policy, and Saul Shapiro from the Mass Media Bureau. A summary of the presentations made at these meetings is attached.

Pursuant to section 1.1206 of the Commission's rules, this original and one copy have been submitted to the Secretary, and a copy supplied to each staff person present.

No. of Copies rec'd _____
List A B C D E _____

Mr. William F. Caton
July 17, 1995
Page 2

If there are any questions on this matter, please contact the undersigned.

Sincerely,


Gerard J. Waldron, Esq.*

cc: Chairman Reed E. Hundt
Julius Genachowski, Esq.
Commissioner Susan Ness
David A. Siddall, Esq.
Lauren J. Belvin, Esq.
Rudolfo M. Baca, Esq.
Mr. Robert M. Pepper
Mr. Donald H. Gips

BROADCAST AUXILIARY SPECTRUM

ALL-INDUSTRY COALITION

- ABC
- CBS
- NBC
- PBS
- RTNDA
- APTS
- NAB
- MSTV
- SBE

**10 Joint FCC Filings and Numerous
Supplementary Filings by Members
of Coalition**

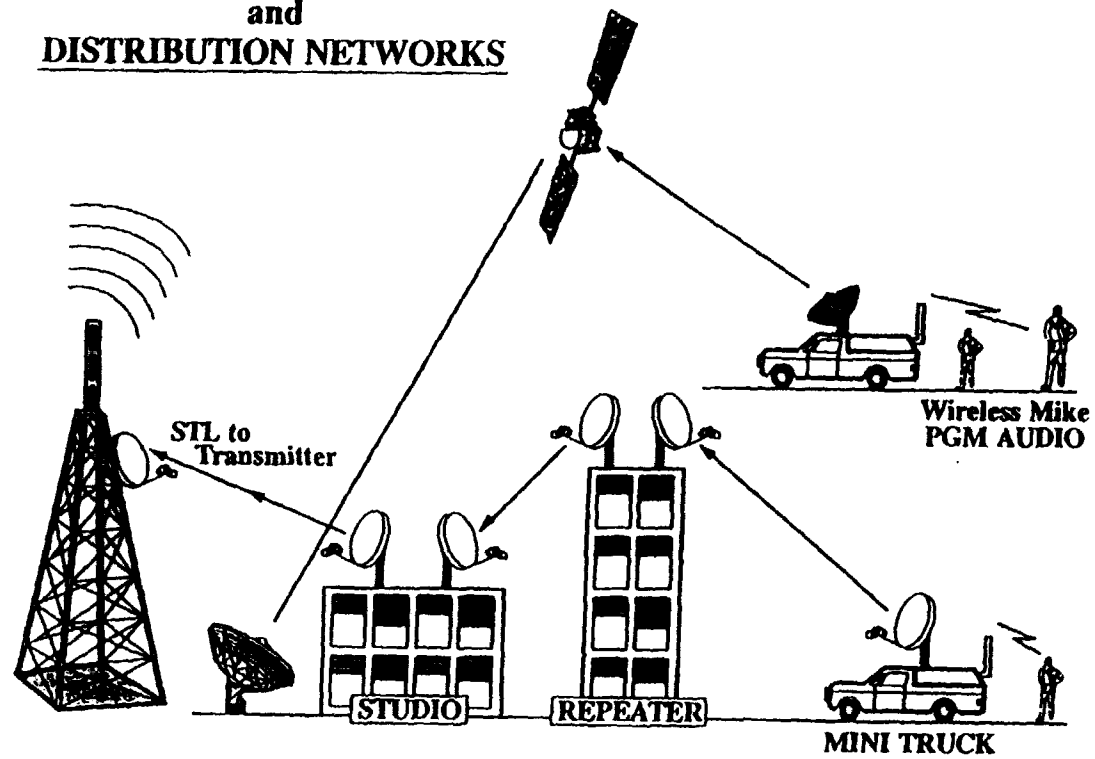
BROADCAST AUXILIARY SPECTRUM

TOPIC

- **Reallocation of 2GHz ENG Spectrum to MSS
{ET Dockets No. 94-31/95-18}**
- **ENG/STL Spectrum Requirements for Digital ATV. (4 GHz)
{IC Docket No. 94-32}**

BROADCAST AUXILIARY SPECTRUM

CONTRIBUTION and DISTRIBUTION NETWORKS



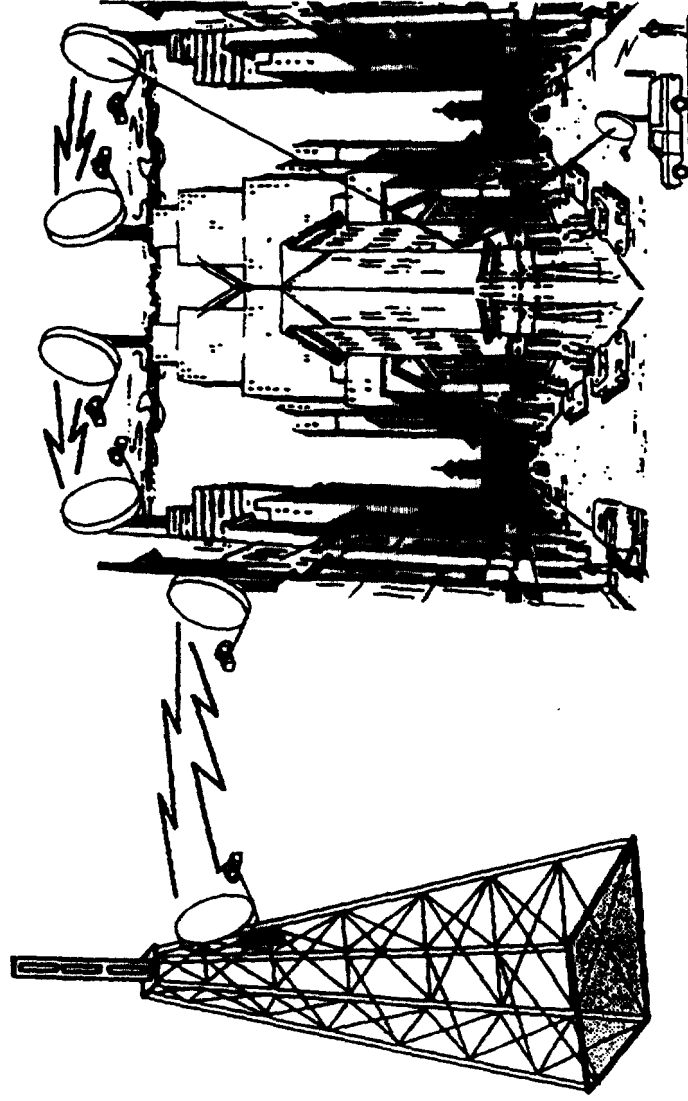
BROADCAST AUXILIARY SPECTRUM

2 GHZ SPECTRUM

- **120 MHz Spectrum
(1990 - 2110 MHz)**
- **Seven Channels**
- **Broadcasters and Cable Networks**
- **Increase 15% Per Year**

BROADCAST AUXILIARY SPECTRUM

2 GHZ ADVANTAGE



BROADCAST AUXILIARY SPECTRUM

BROADCASTERS POSITION

- **Do not oppose FCC Proposal to Relocate ENG Channels 1 and 2 in Spectrum above ENG Channel 7, Provided that MSS Fully Underwrite Cost of Move**
- **Oppose Expedited Timetable or Changes to WARC-92 Global MSS Allocation in Upcoming WRC-95**

BROADCAST AUXILIARY SPECTRUM

MSS POSITION

- **Relocation of ENG Channels 1 and 2 in Spectrum above ENG Channel 7 is Cost-Prohibitive (\$3.2 billion)**
- **Reduce Amount of 2 GHz ENG Spectrum Available to Broadcasters**

BROADCAST AUXILIARY SPECTRUM

ISSUES

- **MSS Spectrum Needs**
- **WARC-95 Allocation for MSS**
- **Digital ENG Equipment**

BROADCAST AUXILIARY SPECTRUM

WHY 4 GHZ ?

- **Need Additional ENG Spectrum to Implement ATV**
- **Only Spectrum Wide Enough to Accommodate Video Transmission**
- **Contiguous to Spectrum Soon to be Transferred from Government
-- Potential for Growth**

BROADCAST AUXILIARY SPECTRUM

FCC 4 GHZ PROPOSAL

- **Make spectrum available to different users, (wireless cable, ENG, aeronautical, etc.) under a newly-created broad service class**
- **Auction spectrum among different users**
- **Questionable legality**

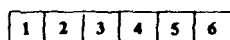
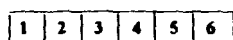
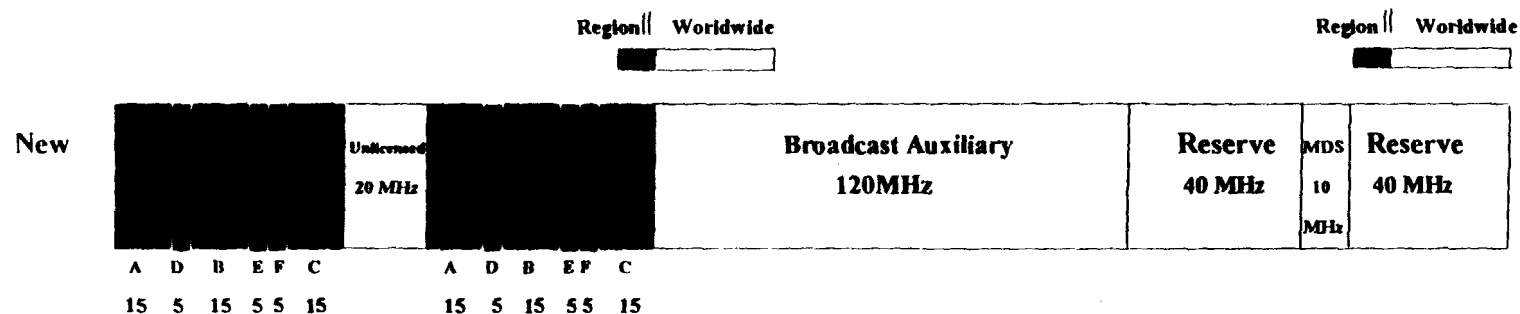
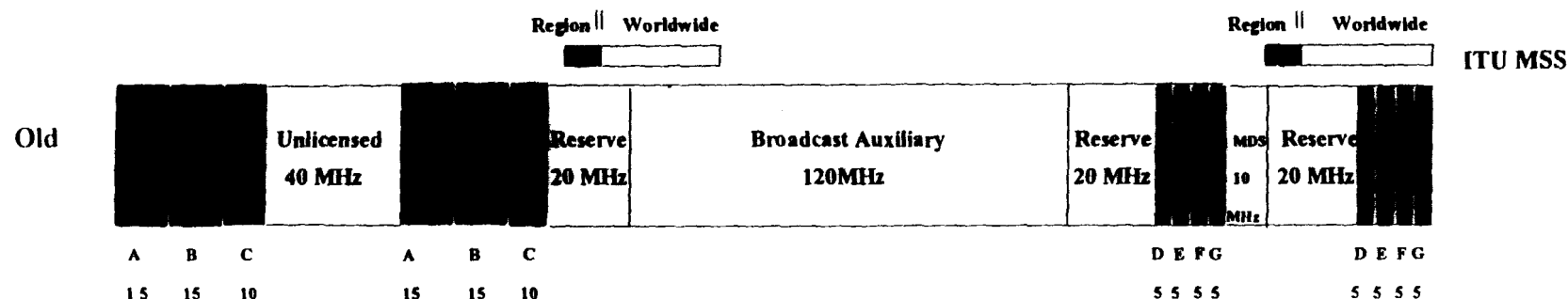
BROADCAST AUXILIARY SPECTRUM

RECOMMENDATION

- **Defer Action on 2 GHz reallocation until after (a) WARC-95 and (b) Reliable Information on MSS's Real Spectrum Needs**
- **Defer Action or Postpone Implementation of Service Rules at 4 GHz in Docket 94-32 until FCC has Completed a Survey of ENG, MSS and other Competing Spectrum Needs**

Broadband PCS Band Plan

1850 1870 1890 1910 1930 1950 1970 1990 2010 2030 2050 2070 2090 2110 2130 2150 2170 2190

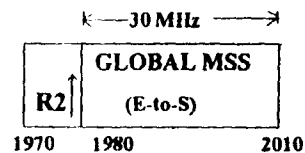
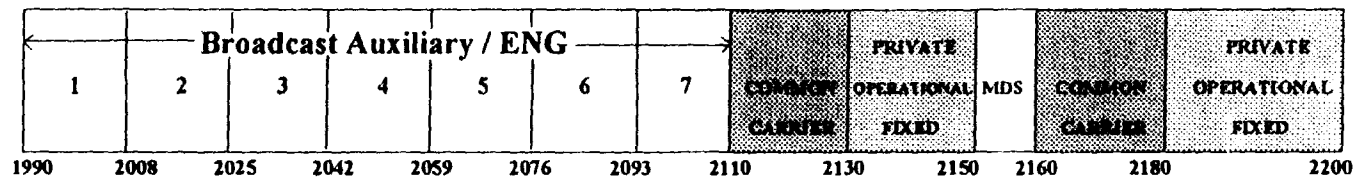


Field Service
Pairing

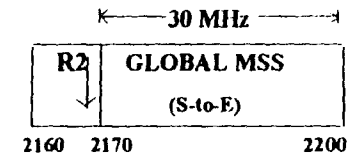
1860 1880 1900 1920 1940 1960 1980 2000 2020 2040 2060 2080 2100 2120 2140 2160 2180 2200

FCC's Proposed Re-allocation of 2 GHz Bands

1995
Existing Plan
BAS / ENG



WARC-92 MSS
ALLOCATIONS



OLD BAS / ENG
Channel 1/2

